

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

HON. MARK E. FULLER, PRESIDING AT MONTGOMERY, AL

DATE COMMENCED: 3/14/07 AT: 9:25 a.m.
DATE COMPLETED: 3/14/07 AT: 11:13 a.m.

UNITED STATES OF AMERICA §
vs. § CR. NO. 3:06CR41-MEF
JUDY ANN BANKS SIMS §

GOVERNMENT APPEARANCES: DEFENDANT
Andrew O. Schiff George L. Beck, Jr.

COURT OFFICIALS PRESENT:

COURTROOM PROCEEDINGS:

(X) Sentencing

9:25 a.m. - Court convenes.
Government states the terms of the plea agreement to the Court.
The Court will follow the plea agreement between the parties and follow it to the extend that it has been outlined for the Court.
Court GRANTS Government's Motion for Reduction for Acceptance of Resonsibility, (Doc. #13).
Defense counsel calls attorney Larry Morris to testify.
Defense counsel calls attorney Tim Davis to testify.
Government cross-examines witness.
Defense counsel begins re-direct examination of witness.
Defense counsel calls Dr. Ed Larson to testify.
Defense counsel calls Judy Ann Banks Sims to testify.
Government cross-examines witness.
Defense counsel begins re-direct examination.
Defense counsel objects to paragraphs #6 and #12 of the pre-sentence report.
Court sustains objections regarding amount of loss within paragraphs #6

and #12.

Defense counsel argues his objection to paragraph #14 of the pre-sentence report.

Court sustains objection to paragraph #14 of pre-sentence report.

Parties argue their positions regarding theft and embezzlement.

Court DENIES Defendant's Motion for Downward Departure, (Doc. #21).

10:40 a.m. - Court is in recess.

11:00 a.m. - Court reconvenes.

Court finds that defendant's conduct does not fall within the aberrant behavior category.

Court sentences defendant and advises her of her right to an appeal.

11:13 a.m. - Court is in recess.